

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4
5 Michael Rodriguez,
6 Plaintiffs,
7
8 v.
9 WellPath, *et al.*,
10 Defendants.

2:19-cv-02074-ART-VCF
ORDER

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12 Before the Court is defendants' motion for substitution of proper party for Estate of defendant
13 Harry Duran, M.D. (ECF No. 114).

14 On October 6, 2023, the court held a hearing and discussed the timeline of November 6, 2023, for
15 defense counsel to file a substitution of party. (ECF No. 111). Defendants filed their motion timely on
16 November 6. Rodriguez has not filed an opposition to defendants' motion to substitute of proper party
17 for Estate of defendant Harry Duran, M.D.

18 Under LR 7-2(d), the failure of an opposing party to file points and authorities in response to any
19 motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney's fees, constitutes a consent to
20 the granting of the motion. Here, the time to file an opposition has passed and it would seem that
21 Rodriguez has consented to the granting of defendants' motion to substitute.

22 Accordingly,

23 IT IS HEREBY ORDERED that defendants' motion for substitution of proper party for Estate of
24 defendant Harry Duran, M.D. (ECF No. 114), is GRANTED.
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1 IT IS FURTHER ORDERED that defendant Robert Ansara as Special Administrator for the Estate
2 of Harry Duran, M.D. is substituted in the place of Harry Duran, M.D.

3 DATED this 4th day of December 223.

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5 CAM FERENBACH
6 UNITED STATES MAGISTRATE JUDGE
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